

EXHIBIT B

**FILED**

2021 JUN 23 PM 1:05

CHARLEEN GRUOMES  
OKANOGAN COUNTY CLERK

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF OKANOGAN**

BRIGITTE WOODBURY, an individual,

Plaintiff,

v.

WALMART, INC.

Defendant.

NO.

**21-2 0016024**

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiff, Brigitte Woodbury, by and through her attorneys Jonathan Nolley of the Emerald Law Group and Alex Thomason of Valor Law Group, and complains and alleges as follows:

**I. JURISDICTION AND VENUE**

1.1 The above-entitled court has jurisdiction over the subject matter of this lawsuit.

1.2 The above-entitled court is the proper venue for this action because the incidents described herein and the negligent and tortious acts alleged herein occurred in Omak, Okanogan, Washington.

**II. PARTIES**

2.1 At all times material hereto, Plaintiff Brigitte Woodbury ("Plaintiff") is and was an individual residing in Okanogan County, Washington.

COMPLAINT FOR DAMAGES- 1

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**COPY**

2.2 At all times relevant hereto, Defendant Walmart, Inc ("Walmart") is and was a corporation doing business in Okanogan County, Washington.

### III. CLAIMS AGAINST DEFENDANT

3.1 Defendant is the owner of a local Walmart store located at 902 Engh Road, Omak, Washington.

3.2 On or about February 4, 2021, Plaintiff went shopping at Defendant's store.

3.3 When Plaintiff was in the electronics department of the store, an employee of Defendant, also in the electronics department, was pushing a flat "platform-style truck" cart ("the cart") that was low to the ground.

3.4 This same employee pushed the cart and left it directly behind where Plaintiff was standing with her back turned to the cart.

3.5 Neither the employee nor any other employee of Defendant took any steps to warn Plaintiff of the cart that was directly behind her.

3.6 As Plaintiff turned to leave, she tripped over the cart and suffered injuries.

3.7 At all times relevant hereto, Plaintiff was a business invitee at Defendant's store.

3.8 Defendant owed Plaintiff a duty to maintain a safe premises and to take measures to prevent Plaintiff from encountering any hazards or provide adequate warning to allow Plaintiff to avoid such hazards.

3.9 It was foreseeable that Plaintiff would trip and fall over the low-profile cart that was left behind her.

3.10 Defendant breached its duties when its employee left the cart directly behind Plaintiff and in a place where Plaintiff could not see the cart prior to turning and tripping over the low platform of the cart.

1  
2 3.11 As a direct and proximate result of Defendant's acts and/or omissions described  
3 herein, Plaintiff suffered damages.

4 **IV. DAMAGES**

5 As a direct and proximate result of the Defendant's negligence and acts alleged herein,  
6 Plaintiff was injured, suffered and continue to suffer from, without limitation, severe personal  
7 injuries, physical disability and pain, pain and suffering, future pain and suffering, emotional  
8 trauma, medical expenses, loss of enjoyment of life, lost income and earnings, and other  
9 economic and non-economic damages to be proven at trial.  
10

11 **V. LIMITED PHYSICIAN/PATIENT WAIVER**

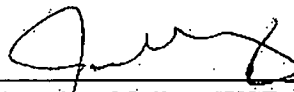
12 Plaintiff hereby waives the physician/patient privilege, but only to the extent required by  
13 RCW 5.60.060, and as limited by Plaintiff's Constitutional rights of privacy, contractual rights of  
14 privacy, and as circumscribed by the ethical and legal obligations of treating physicians and  
15 attorneys for the defendants not to engage in *ex parte* contact.  
16

17 **WHEREFORE**, Plaintiff pray for relief as follows:


- 18 1. Judgment against the Defendant for damages sustained by Plaintiff in an amount to  
19 be determined at trial;  
20 2. For Plaintiff's costs and disbursements herein;  
21 3. For an award of Plaintiff's attorney's fees;  
22 4. For an award of pre-judgment interest at the statutory rate on items of special  
23 damages including, without limitation, expenses of medical care and treatment and property  
24 damage; and  
25 5. For such other and further relief as the court may deem just and equitable.  
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1  
2 DATED this 16<sup>th</sup> day of June, 2021.

3 EMERALD LAW GROUP, PLLC

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5   
6 Jonathan Nolley, WSBA No. 35850  
7 Attorneys for Plaintiff

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9 VALOR LAW GROUP PS

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11  WSBA No. 35850  
12 Alex Thomason, WSBA No. 35975  
13 Attorneys for Plaintiff  
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